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FILED
JAN 25 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.: '08 MJ 8065
v.	COMPLAINT FOR VIOLATION OF
Carlos SAAVEDRA-Vasquez (1), Luis Humberto RIVERA-Diaz (2), Defendants.	Title 8, U.S.C. § 1324(a)(1)(A)(ii) Illegal Transportation of Alien and Title 18, U.S.C. § 2, Aiding & Abetting

The undersigned complainant being duly sworn states:

On or about January 23, 2008, within the Southern District of California, defendants Carlos SAAVEDRA-Vasquez and Luis Humberto RIVERA-Diaz, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Nuria Cristina RAMIREZ, Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez, had come to, entered and remained in the United States in violation of law, did transport and move, and attempt to transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and Title 18, United States Code, Section 2.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

[signature]
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25TH DAY OF JANUARY 2008.

[signature]
PETER C. LEWIS
U. S. Magistrate Judge

UNITED STATES OF AMERICA

v.

Carlos SAAVEDRA-Vasquez (1)

Luis Humberto RIVERA-Diaz (2)

STATEMENT OF FACTS

The complainant states that this complaint is based upon statements in the investigative reports by the apprehending U.S. Border Patrol Agent M. Harrington that on January 23, 2008, Carlos SAAVEDRA-Vasquez and Luis Humberto RIVERA-Diaz, natives and citizens of Mexico were apprehended near Calexico, California, along with seven (7) other undocumented aliens from Mexico, in violation of law.

On January 23, 2008, at approximately 11:40 A.M. Agent Harrington observed eight (8) suspected illegal aliens running north towards Highway 98, east of Vencil Road. This area is located 8.5 mile east of the Calexico Port of Entry.

Using binoculars, Agent Harrington was able to see one individual, later identified as Luis Humberto RIVERA-Diaz, in the front of the group and signaling to them as the group traveled north from the border area. Upon reaching the road the group hid along side the road.

A white Ford Expedition arrived and stopped to pick up the group of suspected illegal aliens. Agent Harrington observed RIVERA stand up to meet the Ford. Agents Harrington and Vega-Torres observed the group board the Ford and drive away.

Using the emergency lights and siren on his Border Patrol vehicle, Agent Vega-Torres attempted to stop the Ford. The driver, later identified as Carlos SAAVEDRA-Vasquez, failed to yield to Agent Vega-Torres. After traveling approximately a half mile, SAAVEDRA finally stopped the Ford.

Agent Vega-Torres approached SAAVEDRA, who was still seated in the driver's seat behind the steering wheel. Agent Vega-Torres questioned and determined SAAVEDRA is a citizen of Mexico illegally in the United States. Agent Hernandez questioned and determined the other occupants of the vehicle all to be citizens of countries other than the United States.

SBPA Atiles read SAAVEDRA his rights per Miranda. SAAVEDRA stated he made arrangements with a smuggler in Mexico to drive a vehicle in lieu of paying the $3,000.00

smuggling fee. SAAVEDRA stated the smuggler told him where to go and pick up the illegal aliens.

SBPA Atiles read RIVERA his rights per Miranda. RIVERA admitted to guiding seven undocumented aliens into the United States. RIVERA stated he was going to get paid $200.00 per person which he successfully smuggled. RIVERA stated he has guided groups on ten separate occasions. RIVERA stated he was talking to the driver of the Ford via radio, SAAVEDRA, to let him know the group was ready to be picked up.

Material Witness Nuria Cristina RAMIREZ stated she is a citizen of El Salvador illegally in the United States. Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez both stated they are citizens of Mexico illegally in the United States. Nuria Cristina RAMIREZ, Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez stated their arrangements were made with a smuggler in Mexico to pay $2,000.00 to $2,200.00 to be smuggled illegally into the United States.

N. RAMIREZ, S. RAMIREZ and OLIVERA were shown a photo line up and identified photo number one, SAAVEDRA, as the driver of the white Ford Expedition. N. RAMIREZ, S. RAMIREZ and OLIVERA were shown a photo line up and identified photo number two, RIVERA, as the smuggler who guided the group into the United States.

The complainant states that the names of the Material Witnesses are as follows:

NAME	**PLACE OF BIRTH**
Nuria Cristina RAMIREZ	El Salvador
Salvador RAMIREZ-Olivera	Mexico
Rosalio OLIVERA-Vasquez	Mexico

Further, complainant states that Nuria Cristina RAMIREZ, Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.